

**EMERGENCY COMMISSION MEETING
MINUTES
Thursday, March 2, 2000**

A meeting of the Emergency Commission was held on Thursday, March 2, 2000, in the Governor's Conference Room. Present in the conference room were Governor Ed Schafer and Secretary of State Al Jaeger. Members participating via telephone conference call were Senator Gary Nelson, Senator David Nething, and Representative Jack Dalrymple. Governor Schafer called the meeting to order at 7:06 a.m.

Requests identified with an asterisk will be forwarded to the Budget Section Committee for review and approval at its meeting on Thursday, March 9, 2000, per the provisions of N.D.C.C. § 54-16-04.1 and N.D.C.C. § 54-16-04.2.

1. Job Service North Dakota (Request # 1252)

Request for \$12,325 in increased spending authority to accept other funds from the North Valley Vocational Technology Center for salaries and wages (\$11,087) and for operating (\$1,238) to provide counseling, guidance, job placement services and to facilitate school and work based learning and connecting activities for area students and businesses.

Secretary of State Jaeger moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

2. Job Service North Dakota * (Request # 1253)

Request for \$80,000 in increased authority to accept other funds from the Grand Forks Office of Urban Development for salaries and wages (\$10,000) and for grants (\$70,000) to provide employment and education activities to youth, 18 – 21 years old, in Grand Forks and the surrounding communities eligible for the Job Training Partnership Act (JTPA) Title IIC Program.

Representative Dalrymple moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

3. Job Service North Dakota * (Request # 1254)

Request for \$63,028 in increased spending authority to accept other funds from the Post War Trust Fund, North Dakota Administrative Committee on Veterans Affairs, for salaries (\$7,958), operating (\$2,663), and grants (\$52,407) to assist eligible veterans from the Vietnam era, those veterans recently separated, and veterans with disabilities in their efforts to gain substantial employment.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

4. Job Service North Dakota (Request # 1255)

Request for \$9,400 in increased spending authority to accept other funds from the Division of Community Services for operating (\$9,400) for energy saving upgrades to the lighting system for the Dickinson Job Service Office.

Senator Nething moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

5. **Office of the Attorney General * (Request # 1256)**

Request for \$197,714 in increased spending authority to accept other funds received as cost and fee recoveries related to the tobacco settlement to use as grants (\$197,714) for additional gaming enforcement under the provisions of section 5 of House Bill 1015 as passed by the 1999 Legislative Assembly.

Representative Dalrymple moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

6. **Department of Public Instruction * (Request # 1257)**

Request for \$600,000 (of a total grant of \$1,000,000) in increased spending authority to accept federal funds from a Partnerships in Character Education Grant, Fund for the Improvement of Education, US Department of Education, for salaries and wages (\$116,388), operating (\$63,612), and grants (\$420,000) to develop comprehensive character education efforts across the state during the 1999-2001 biennium for the first portion of a four-year project.

Senator Nething moved for approval. Secretary of State Jaeger seconded the motion. Voting yes were Schafer, Nething, Dalrymple, Jaeger. Voting no was Nelson. Motion carried.

7. **Department of Public Instruction * (Request # 1258)**

Request for \$80,000 in increased spending authority to accept federal funds from the National Center for Education Statistics (NCES) for operating (\$80,000) to contract for the development of an online reporting system for local education agencies to complete several reporting requirements including the Licensed (Certified) Personnel Report, the Pupil Memberships Report, and the School District Annual Financial Report, which are used by DPI to calculate foundation aid payments, and for school approval and accreditation.

Senator Nelson moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

8. **Department of Public Instruction * (Request # 1259)**

Request for \$116,469 in increased spending authority to accept federal funds from the United States Department of Agriculture (USDA), National School Lunch and School Breakfast Program, for salaries and wages (\$14,550), operating (\$96,919) and equipment (\$5,000) to implement provisions in federal regulations that streamline the administration of nutrition programs for schools that serve a large percentage of low-income children.

Secretary of State Jaeger moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

9. **Department of Public Instruction * (Request # 1260)**

Request for \$340,000 (of a total grant of \$510,000) in increased spending authority to accept federal funds from the U.S. Department of Health and Human Services, Office of Refugee Resettlement for salaries and wages (\$65,142), operating (\$45,833), equipment (\$3,000), and grants (\$226,025) to provide services to benefit the education of refugee children and youth in North Dakota through a project named Success Through Extra-curricular Enrichment Program.

Senator Nething moved that the request be approved with the entire \$340,000 devoted to grants. Representative Dalrymple seconded the motion. Voting yes were Nething, Nelson, Dalrymple, Jaeger. Voting no was Schafer. Motion carried.

10. **State Tax Commissioner * (Request # 1261)**

Request for \$100,000 in increased spending authority to accept pass-through federal funds from the North Dakota Department of Transportation for a special line item (\$100,000) to utilize Transportation Equity Act for the 21st Century (TEA-21) Federal Highway funds to increase tax collections through fuel tax compliance programs and a dyed fuel enforcement program in cooperation with the DOT and the Highway Patrol.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. Voting yes were Schafer, Nething, Dalrymple, Jaeger. Voting no was Nelson. Motion carried.

11. **State Historical Society of North Dakota * (Request # 1262)**

Request for \$250,000 in increased spending authority to accept funds from the National Historical Publications and Records Commission (NHPRC) to conduct research, compile documentation, and produce a written historical overview related to the Fort Buford State Historic Site through a contract with the North Dakota State University.

Senator Nething moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

12. **State Historical Society of North Dakota (Request # 1263)**

Request for \$22,300 in increased spending authority to accept pass-through funds from the North Dakota State Library for operating (\$22,300) to complete conversion of State Historical Society information to the Online Computer Library Center (OCLC) as part of establishing a comprehensive statewide database and access to it among libraries and information providers.

Secretary of State Jaeger moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

13. **State Historical Society of North Dakota (Request # 1264)**

Request for \$15,708 in increased spending authority from the National Historical Publications and Records Commission (NHPRC), a Division of the National Archives and Records Administration, for operating (\$15,708) for the State Historical Records Advisory Board to support, guide, and advocate for the preservation of archival records.

Senator Nelson moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

14. **Human Services * (Request # 1265)**

Request for \$24,628,405 in increased spending authority to accept federal funds (\$17,357,920) and other funds in the form of a loan from the Bank of North Dakota (\$7,270,485) for Grants – Medical Assistance (\$24,628,405) for the Health Care Trust Fund approved by Senate Bill 2168 in order to access greater than anticipated additional dollars made available by an aggregate difference between Medicaid rates paid to nursing facilities and the rates allowed by Medicare.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

15. **Human Services * (Request # 1266)**

Request for \$219,160 in increased spending authority to accept federal funds from the Federal Child Support Enforcement agency (\$144,645) and other funds from the agency's Department Operating Fund (\$74,515) for salaries and wages (\$219,160) to correct a shortage in the agency's pay plan and for higher than anticipated costs to complete the Computerized Fully Automated Child Support Enforcement System (FACSES).

Senator Nething moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

16. **Human Services * (Request # 1267)**

Request for line item transfer of \$2,000,000 from operating, subdivision 3, Program and Policy, Mental Health Division, to subdivision 4, Human Service Centers and Institutions (Northwest HSC \$400,000; Lake Region HSC \$400,000; Northeast HSC \$400,000; South Central HSC \$400,000; Badlands HSC \$400,000) to provide for services in the respective population groups for severely emotionally disturbed children.

Representative Dalrymple moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

17. **Human Services * (Request # 1268)**

Request for line item transfer of \$221,131 from operating services, subdivision 1, Management and Councils Information Management Division, to salaries and wages (\$53,914) and grants (\$167,217); and a line item transfer of \$34,729 from operating services, subdivision 2, Economic Assistance, to salaries and wages (\$34,729) for temporary work load increases and temporary salaries for project staff and for the replacement of obsolete county computer hardware to complete the Medicaid/TANF computer project.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

18. **Human Services * (Request # 1269)**

Request for \$426,000 in increased spending authority to accept federal funds from the Social Security Administration for operating, subdivision 1, Management and Councils Information Management Division (\$317,000); and for operating, subdivision 3, Program and Policy Vocational Rehabilitation Division (\$109,000) to implement computerized system for processing disability claims and to create a temperature controlled environment, a secured entrance and interview room, and modular workstations for claims analysts.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

19. **Human Services * (Request # 1270)**

Request for \$1,200,000 in increased spending authority to accept federal funds from the Federal Emergency Management Agency (FEMA) for salaries and wages (\$151,000), operating (\$43,000), and grants (\$1,006,000) to provide counseling and assistance in determining the resources available for client recovery needed as the result of the 1999 emergency disasters (snow and ice storms, tornadoes, flooding, and ground saturation).

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

20. **Division of Emergency Management * (Request # 1271)**

Request for \$410,000 in increased spending authority to accept federal funds from the U. S. Department of Justice State, Domestic Preparedness Equipment Program, for salaries and wages (\$50,000), operating (\$50,000), and grants (\$325,000) to develop a state-based needs assessment and a three-year statewide domestic preparedness strategy to plan for and respond to domestic acts of terrorism.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

21. **Office of the Adjutant General * (Request # 1272)**

Request for \$500,000 in increased spending authority to accept federal funds from the Federal Emergency Management Agency (FEMA) for capital improvements, in addition to that previously authorized by the 1999 Legislative Assembly, at the Fraine Barracks Emergency Operations Center (EOC), Building #035.

Senator Nelson moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

22. **North Dakota Parks and Recreation * (Request # 1273)**

Request for \$1,000,000 in increased spending authority for line 73, Natural Resource Program (\$500,000) and for line 72, Recreation Program (\$500,000) to accept federal funds from (a) the National Park Service for Phase II of the On-A-Slant Indian Village to be passed through to the Fort Abraham Lincoln Foundation (\$400,000); (b) the Federal Emergency Management Agency (FEMA) for campground development in the Devils Lake area (\$100,000); (c) Recreational Trails Program (RTP) for recreational trails (\$300,000); and (d) Land and Water Conservation Fund for land and water conservation (\$200,000).

Senator Nelson moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

23. **North Dakota Department of Agriculture * (Request # 1274)**

Request for \$440,303 in increased spending authority to accept federal funds from the Environmental Protection Agency, 319 Nonpoint Pollution Prevention Program, for the State Waterbank Fund (\$440,303) [state match to come from Game and Fish special funds (\$200,000) and North Dakota Wetlands Trust (\$100,000)] to be used to make the state waterbank program available to landowners in Devils Lake basin and priority nonpoint watersheds that will compensate participants for conservation practices over a ten-year agreement.

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

24. **North Dakota Department of Agriculture (Request # 1275)**

Request for \$16,156 in increased spending authority to use carry-over funds from a Dow-Elanco grant for operating (\$16,156) to be used for advances in the mapping of North Dakota Endangered Species with the assistance of the U. S. Fish and Wildlife Service.

Representative Dalrymple moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

25. **North Dakota Department of Public Instruction * (Request # 1276)**

Request for \$600,000 in increased spending authority from other funds for operating (\$600,000) for commodity processing and billing activities for local school districts.

Representative Dalrymple moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

26. **Board of Examiners on Audiology and Speech-Language Pathology (Request # 1277)**

Request for \$13,000 to \$20,000 in state contingency funds to cover the expense of preparing a certified copy of the record in an administrative hearing involving the revocation of an Audiology license, which revocation has been appealed to the District Court and which the Court has ruled the Board must pay.

Senator Nelson moved to table the request until the day of the Budget Section meeting on March 9, 2000. Senator Nething seconded the motion. Motion carried.

The meeting adjourned at 8:31 a.m.

Respectfully submitted,

Alvin A. Jaeger
Secretary of State
Secretary to Emergency Commission